

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Initially, applicants note that with the original application papers filed on June 15, 2000, an information disclosure statement (IDS) was filed citing six references. At this time confirmation of consideration of the references cited in that IDS has not been received. That is, at this time, applicants have not received a copy of the submitted form PTO-1449 listing the references from the IDS. Applicants respectfully request acknowledgement of consideration of those references be made by providing applicants with a returned form PTO-1449 with the references initialed. For convenience, a copy of the filed IDS is submitted herein.

Claims 2-8, 20, 21, and 23 are pending in this application. Claims 1, 19, and 22 are canceled by the present response without prejudice.

Claims 22-23 were objected to for informalities. Figures 2-3 were objected to. The title was objected to. Claims 22-23 were rejected under 35 U.S.C. § 112, first paragraph. Claims 1, 19, and 22 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. patent 4,775,966 to Miura et al. (herein "Miura"). Claims 2-18, 20, 21, and 23 were objected to as dependent upon rejected base claims, but were noted as allowable if rewritten in independent form to include all of the limitations of their base claims and any intervening claims.

Applicants gratefully acknowledge the indication of the allowable subject matter in claims 2-18, 20, 21, and 23.

The present response is submitted to place the above-identified application in condition for allowance by presenting subject matter indicated as allowable in the outstanding Office Action and by addressing the outstanding objections and rejections in the Office Action, as now further discussed.

First, with respect to the objection to claims 22 and 23, that objection is obviated by the present response as claim 22 is cancelled by the present response and as the language from canceled claim 22, which is now added into claim 23, has been clarified to address the objection thereto.

Substitute drawings are submitted with the present response in which Figures 2 and 3 are now labeled as "Prior Art" as suggested in the Office Action.

The Title is amended as suggested in the Office Action.

Addressing now the rejection of claims 22 and 23 under 35 U.S.C. § 112, first paragraph, that rejection is traversed by the present response.

Claim 23, which now incorporates features from previously pending independent claim 22, has been written to avoid the language noted as unclear in paragraph 4 in the Office Action. The features recited in new independent claim 23 are believed to be clear from the original specification, for example at page 20, lines 6-21, and thus claim 23 is believed to be in full compliance with all requirements under 35 U.S.C. § 112, first paragraph.

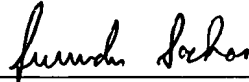
Addressing now the rejection of claims 1, 19, and 22 under 35 U.S.C. § 102(b) as anticipated by Miura, that rejection is obviated by the present response as each of claims 1, 19, and 22 is canceled by the present response.

Moreover, by the present response each of claims 2, 20, and 23 is amended by the present response to be rewritten in independent form, to recite subject matter indicated as allowable in the outstanding Office Action. Thus, each of amended independent claims 2, 20, and 23, and the claims dependent therefrom, are believed to be allowable.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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Dept.: PP/JF

By: MJS/slc

OSMM&N File No. 193220US2S

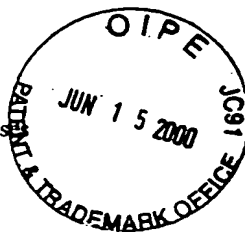
Serial No. New Application

In the matter of the Application of: Hiroshi SHIMADA

For: OPTICAL DISK REPRODUCING APPARATUS

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☒ 50 pp. Specification & 21 Claims/Drawings 7 Sheets (Formals)
- ☒ Combined Declaration, Petition & Power of Attorney 2 pages
- ☐ List of Inventor Names and Addresses
- ☒ Utility Patent Application ☐ CPA
- ☒ Notice of Priority ☐ Priority Doc
- ☒ Check for \$748.00 ☒ Dep. Acct. Order Form
- ☒ Fee Transmittal Form
- ☒ Assignment/PTO 1595 pages: 3
- ☐ Letter to Official Draftsman
- ☐ Letter Requesting Approval of Drawing Changes
- ☐ Drawings sheets ☐ Formal
- ☐ Letter
- ☐ Amendment
- ☒ Information Disclosure Statement ☒ PTO-1449
- ☒ Cited References (6)
- ☐ Search Report
- ☒ Statement of Relevancy
- ☐ IDS/Related/List of Related Cases
- ☐ Restriction Response
- ☐ Rule 132 Declaration
- ☐ Petition for Extension of Time
- ☐ Notice of Appeal
- ☐ Brief
- ☐ Issue Fee Transmittal
- ☒ White Advance Serial Number Card
- ☐
- ☐

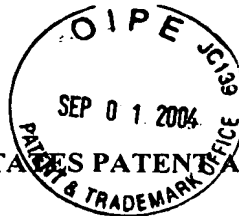


☐ Election Response

Due Date: 06/15/00

COPY

Docket No. 193220US2S



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hiroshi SHIMADA

SERIAL NO: New Application

FILED: Herewith

FOR: OPTICAL DISK REPRODUCING APPARATUS

GAU:

EXAMINER:

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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Technology Center 2600

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

PETITION

- ☐ Applicant(s) hereby request consideration of the attached information. A check is attached in the amount of the Petition fee required under 37 CFR §1.17(i)(1).

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hiroshi SHIMADA

SERIAL NO.: New Application

FILED: Herewith

FOR: OPTICAL DISK REPRODUCING APPARATUS

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STATEMENT OF RELEVANCY

Reference AO (6-259904) on Form PTO-1449:

The detector of eccentricity use a similar method. (Fig. 2 and Claim 1)

Reference AP (6-223502) On Form PTO-1449:

The detector of eccentricity use a similar method. (Fig. 7 and Claim 2)

Reference AQ (55-012561) on Form PTO-1449:

The eccentricity information is extracted from tracking information by a filter to correct the eccentricity using an eccentricity correction mechanism.

Reference AR (61-276181) on Form PTO-1449:

The eccentricity information is pre-stored in a memory to compensate a tracking control signal.

COPY

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 193220US2S		SERIAL NO. New Application	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Hiroshi SHIMADA			
				FILING DATE Herewith		GROUP	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,905,705	05/18/99	Toru Takeda, et al.			
	AB	5,761,165	06/02/98	Toru Takeda, et al.			
	AC						
	AD						
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FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO	6-259904	09/16/94	Japan (with English Abstract)			x
	AP	6-223502	08/12/94	Japan (with English Abstract)			x
	AQ	55-012561	01/29/80	Japan (with English Abstract)			x
	AR	61-276181	12/06/86	Japan (with English Abstract)			x
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW						
	AX						
	AY						
	AZ						
Examiner					Date Considered		
<small>*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>							

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